

SIKKIM

GOVERNMENT



GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Thursday 26th November, 2009

No. 476

**GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL ADM. REFORMS, TRAINING, PUBLIC GRIEVANCES,
CAREER OPTIONS AND EMPLOYMENT SKILL DEVELOPMENT
AND CHIEF MINISTER'S SELF EMPLOYMENT SCHEME
GANGTOK – 737101**

No. 212/GEN/DOP

Dated: 26/11/2009

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the constitution of India, the Governor of Sikkim hereby makes the following rules, namely:-

1. Short title and commencement :-

- (1) These rules may be called the Sikkim Government Services (Revised Pay) Rules, 2009.
- (2) They shall be deemed to have come into force on the 1st day of January, 2006.

2. Categories of Government servants to whom the rules, apply:-

- (1) Save as otherwise provided by or under these rules, these rules shall apply to persons other than members of All India Services, appointed to the States services and posts in connection with the affairs of the State of Sikkim.
- (2) These rules shall not apply to:-
 - (i) persons not in whole-time employment;
 - (ii) persons paid out of contingencies;
 - (iii) persons paid otherwise than on a monthly basis including those paid on a piece-rate basis;
 - (iv) persons employed on contract except where the contract provides otherwise;
 - (v) persons re-employed in Government service after retirement;
 - (vi) teachers of the State Government Colleges drawing UGC pay scales;
 - (vii) Any other class or category of persons whom the Governor may, by order, specifically exclude from the operation of all or any of the provisions contained in these rules.

Note (1)- These rules shall apply to persons on Work-charged establishment drawing pay in the existing scale of pay.

Note (2)- These rules shall also apply to persons who ceased to be in service on account of death, retirement or otherwise on or after the 1st day of January, 2006.

3. Definitions – In these rules, unless the context otherwise require, –

- (a) "existing basic pay" means pay drawn in the prescribed existing scale of pay, including stagnation increment (s), but does not include any other type of pay like "special pay", etc.
- (b) "existing scale" in relation to a Government servant means the present scale applicable to the post held by the Government servant (or, as the case may be, personal scale applicable to him) as on the 1st day of January, 2006 whether in a substantive or officiating capacity :

Provided that in the case of a Government servant who, on the 1st day of January, 2006 was on deputation, leave or foreign service or who would have on that day officiated in one or more lower posts but for his officiating in a higher post, "existing scale" means scale of pay applicable to the post which he would have held but for his being on such deputation, leave or foreign service as the case may be, but for his officiating in higher post;

- (c) "existing emoluments" mean the sum of (i) existing basic pay, (ii) dearness pay appropriate to the basic pay and (iii) dearness allowance appropriate to the basic pay + dearness pay at index average 536 (1982 = 100);
- (d) "present scale" in relation to any post/grade specified in column 2 of the First Schedule means the scale of pay specified against that post in column 3 thereof;
- (e) "pay in the pay band" means pay drawn in the running pay bands specified in column 5 of the First Schedule;
- (f) "grade pay" means the fixed amount corresponding to the pre-revised pay scales/posts specified in column 6 of the First Schedule;
- (g) "revised pay structure" in relation to any post specified in column 2 of the First Schedule means the pay band and grade pay specified against that post in columns 5 and 6 thereof, unless a different pay band and grade pay is notified separately for that post;
- (h) "basic pay" in the revised structure means the pay drawn in the prescribed payband plus the applicable grade pay but does not include any other type of pay like special pay, etc.,
- (i) "revised emoluments" means the pay in the pay band plus the grade pay of a Government servant in the revised pay structure;
- (j) "Schedule" means the Schedule annexed to these rules.

4. Scale of pay of posts- The pay band and grade pay of every post/ grade specified in column 2 of the First Schedule shall be as specified against it in column 5 and 6 thereof.

5. Drawal of pay in the revised pay structure – Save as otherwise provided in these rules, a Government servant shall draw pay in the revised pay structure applicable to the post to which he is appointed;

Provided that a Government servant may elect to continue to draw pay in the existing scale until the date on which he earns his next increment or until he vacates his post or ceases to draw pay in that scale.

Provided further that in cases where a Government servant has been placed in higher pay scale between 1st day of January, 2006 and the date of notification of these rules on account of promotion, upgradation of pay scale etc, the Government servant may elect to switch over to the revised pay structure from the date of such promotion / upgradation, etc.

Explanation 1 -The option to retain the existing scale under provisos to this rule shall be admissible only in respect of one existing scale.

Explanation 2 - The aforesaid option shall not be admissible to any person appointed to a post on or after the 1st day of January, 2006, whether for the first time in Government service or by transfer from another post and he shall be allowed pay only in the revised pay structure.

6. Exercise of option –

- (1) The option under the proviso to rule 5 shall be exercised by the Government servant in writing in the form at Annexure-I so as to reach the Head of Office within one month from the date of publication of these rules or where an existing scale has been revised by any order made subsequent to that date, within the one month from the date of such order.
- (2) If the intimation regarding option is not received within the time mentioned in sub-rule (1), the Government servant shall be deemed to have been elected to be governed by the revised pay structure with effect from the 1st day of January, 2006.
- (3) The option once exercised shall be final.

7. Fixation of initial pay in the revised pay structure-

The initial pay of a Government servant who elects, or is deemed to have elected under sub-rule (2) of rule 6 to be governed by the revised pay structure on and from the 1st day of January, 2006, shall, unless

Government of Sikkim

Department : _____

Statement of fixation of pay under Sikkim Government Service (Revised Pay) Rules, 2009.

1. Name of the Government Servant :
2. Designation of the post in which pay is to be fixed as on January 1, 2006 :
3. Status (Substantive/Officiating) :
4. Pre-revised scale :
5. Existing emoluments as on January 1, 2006 :
 - (a) Basic pay (including stagnation increments, if any) :
 - (b) Dearness pay :
 - (c) Dearness Allowance applicable at AICPI Average 536 (1982-100) :
 - (d) Total existing emoluments (a) to (c) :
6. Revised pay band and grade pay corresponding to the pre-revised scale shown at sl. no. 4 above :
7. Pay in the revised pay band in which pay is to be fixed as per the fitment table :
8. Grade Pay to be applied :
9. Stepped up pay with reference to the revised pay of junior, if applicable :
10. Personal Pay, if any :
11. Revised emoluments after fixation :
 - (a) pay in revised pay band :
 - (b) Grade pay :
 - (c) Personal pay, if admissible :
 - (d) Non-Practising Allowance, if admissible :
12. Date of next increment and pay after grant of increment :

Pay after increment

Date of Increment	Pay in the pay band	Grade pay (wherever applicable)

Date

Signature of the Designated Officer

Seal

